

**DENTAL QUALITY ASSURANCE COMMISSION  
BUSINESS MEETING MINUTES  
Thursday, November 3, 2005**

**Members Present:**

John Davis, DDS, JD,  
Russell Timms, DDS, Chair  
Abdul Alkezweeny, PhD, Public Member  
Mark Koday, DDS, Vice-Chair  
Marshall H. Titus, DDS  
Karen Homitz, DDS  
Terrance Hauck, MD, DDS

Bernie Nelson, Public Member  
Jessica Saepoff, DDS  
Fred Quarnstrom, DDS  
Robin Reinke, DDS  
Pramod K. Sinha, DDS  
Lorin Peterson, DDS

**Members Absent:**

Padmaraj Angolkar, DDS

**Staff Present:**

Lisa Anderson, Health Services Consultant 3  
Sandra Adix, AAG  
Peter Harris, Staff Attorney  
Jennifer Bressi, Health Services Consultant 1

Joy King, Executive Director HPS3  
Elyette Weinstein, Staff Attorney  
Josh Shipe, Health Services Consultant 3  
Mickey Wardell, Health Services Consultant 1

**Others Present:**

Sandra Duffy, Consumers for Dental Choice  
David Hemion, WSDA  
Paul Nielson, Mercury Awareness Team  
Dexter Barnes, DDS, WSDA  
Divesh Byrappagari, Dept. of Health  
Ann Clifton, Mercury Awareness Team  
  
Thomas Laney, MD, DDS  
Kim Dinsmore

Elizabeth Davisson, Consumer for Dental Choice  
John Moore, Mercury Awareness Team  
Lynnette Davis, Esq. - DSHS  
Joseli Alves-Dunkerson, Dept. of Health  
Melissa Johnson, WSDHA  
Mary Ann Newell, Mercury Awareness Team  
Colleen Gaylord, WSDHA

## OPEN SESSION

### 1. **CALL TO ORDER-** Russell B. Timms, DDS, Chair called meeting to order at 7:05 p.m.

- 1.1. Introduction of Audience - the audience introduced themselves.
- 1.2. Approval of Agenda – The agenda was approved as presented.
- 1.3. Approval of the September 29, 2005 business meeting minutes, & September 30, 2005 Panel A & B minutes – September 29, 2005 minutes were approved with corrections of a misspelled word. September 30, Panel A & B minutes were approved as presented.

### 2. **PRESENTATIONS**

- 2.1. Presentation – Consumers for Dental Choice Pacific NW Mercury Awareness Team of Washington –
  - 2.1.a. Facts about Fillings – Dental Board of California
  - 2.1.b. Fillings: The Choices you have – Maine Department of Human Services Bureau of Health.
  - 2.1.c. Fox News Articles, Mercury Dental Fillings Do not Pose Health Risk and Mercury Ban Promotes Lawsuits, not Health.

Sandra Duffy presented a Powerpoint presentation to the Commission outlining research and statistics regarding the use of mercury amalgam fillings.

Mary Ann Newell presented a petition to the Dental Commission asking them to make the public aware of the dangers of mercury use in dental offices.

John Moore provided some statistical data regarding the effects of mercury.

Elizabeth Davisson provided the Commission with a personal experience due to mercury amalgam fillings.

- 2.2. Letter dated October 25, 2005 to Dr. Russell Timms from Dr. Dan Middaugh, WSDA President regarding the petition of Consumer for Dental Choice.

Joseli Alves-Dunkerson, Dept. of Health Oral Health program informed the Commission and audience that data placed on the Department's Oral Health website usually is supported by data from the Center for Disease Control. There are many studies that have been done but only CDC approved statistics can be displayed. Dr. Alves-Dunkerson indicated that the website is not as current as it could be, and that new staff have been hired and updating the website is a priority for the Oral Health program.

Following the presentations, the Commission went into Executive Session to receive legal advice as to whether the petition presented by Consumer's for Dental Choice petition could even be considered within the Commission's current statutory authority. Staff will respond to the Consumer's for Dental Choice that changes to the Scope of Practice of Dentistry must be made by the Legislature and does not fall within the parameters of the Dental Quality Assurance Commission.

**3. PROGRAM REPORT, EXECUTIVE DIRECTOR, ASSISTANT ATTORNEY GENERAL, STAFF ATTORNEY, INVESTIGATORS** – Joy King, Executive Director, Lisa Anderson, Health Services Consultant, Josh Shipe, Disciplinary Manager, Sandra Adix, AAG, Staff Attorney, Investigators

- 3.1. Budget Report-Interim Operating report for June 2005 was provided to the Commission.
  - 3.1.a. Interim Operating report for September 2005 was provided to the Commission.
- 3.2. 2005 Governor's Board, Commissions, Committee (B/C/C) Conference December 20, 2005 – this conference is a one time training opportunity and will not take place annually.
- 3.3. Infection Control Inspection Report – Discussion of amendments to the checklist- DEA license numbers are not required by law to be displayed. Staff will provide DQAC feedback to Mr. Dave Magby of the Investigative Services Unit and request that the changes be made to the checklist.
- 3.4. AAG Advice regarding A.T. Still University Arizona School of Dentistry regarding interpretation of RCW 18.32.030 (3) – Sandra Adix, AAG has asked for this item to be discussed as item 13.1 under executive session.
- 3.5. Health Professions Quality Assurance Associations meeting October 17, 2005 – Overview – HPQA provided the associations with updates to disciplinary process review and organization changes.
- 3.6. Medical Quality Assurance Commission (MQAC) Brochures – The follow 3 brochures are administered by MQAC. Mr. Nelson feels that the Commission should also provide these types of brochures to advocate patient safety with dentist. Budge is always a factor when deciding to implement publications.
  - a. What Happens Next?
  - b. Guidelines for Pain Management
  - c. Patient Guide
- 3.7. Discussion of WAC 246-817-320 Report of Patient Injury or Mortality and 246-817-780 Mandatory Reporting. There should be consistency between disciplinary panels and interpretations of WAC's should be consistent. The Medical Commission does not have current regulation on this issue.

**4. SEATTLE PI ARTICLES** – DQAC articles published October 3, 4, 5, 6 & 9, 2005 regarding licensure and disciplinary processes. Copies of the article were provided to the Commission. A discussion revolved around whether there should be an investigation to determine how patient names were obtained by the reporter. Ms. Adix indicated that one way could have been civil lawsuits where patient names could have been releases. The Commission would like to have some time to review the complete article and address specific issues that could be reviewed for process improvements with the Department of Health. There is a Legislative hearing scheduled for December 2, 2005 regarding HPQA disciplinary process. The Commission would like to have a Commission member there to answer questions if necessary. The Department has yet to provide information to staff or direction as to the December 2, 2005 hearings.

## **5. RULES WAC 246-817 UPDATE**

- 5.1. Dental continuing education amendment (WAC 246-817-440) – the CR102 form was filed on November 22, 2005 and a rules adoption hearing is scheduled for February 2006.
- 5.2. Dental Anesthesia Committee = DAC\* (WAC 246-817-700's) – draft minutes from the first committee meeting was provided and the next meeting is scheduled for December 17, 2005. The committee goal is to complete draft language within one year. The committee will hold public forums in both Spokane and Seattle.
- 5.3. Dental Residents SHB 1689 Post Graduate Year 1 - no update at this time.
- 5.4. Dental License without Examinations (WAC 246-817-130, 135, 140) – no update at this time.

## **6. AMERICAN DENTAL ASSOCIATION (ADA); AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE); AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA); THE DENTAL ASSISTING NATIONAL BOARD, INC (DANB)**

- 6.1. 2005 AADE Meeting –Dr. Titus provided a quick overview of the meeting including the election officers.
- 6.2. 2005 AADA Meeting – Joy King, E.D. provided an overview of the meeting where Botox, unlicensed practice, foreign educated, and advertisement was talked about. Ms. King indicated a presentation regarding the effectiveness of different disciplinary sanctions on different generations. Josh Shipe, Disciplinary Manager provided information regarding an independent company that offers compliance services, similar to our compliance officer here within HPQA organization. Independent company that contracts with an individual to provide reports to the regulatory authority. This is a new one of a kind service that this attorney is offering.
- 6.3. DANB – Elects New Board Members October 2005

## **7. WESTERN REGIONAL EXAM BOARD (WREB)**

- 7.1. Overview of Skills Assessment Exam – Dr. Peterson provided a brochure regarding a skills assessment test that is administered by WREB. The exam is only given one time per year in the Seattle area and one time in the Portland area. This could be used as a compliance tool vs. education classes since this test actually measures the individual skills.
- 7.2. ADEX – Will DQAC join? The Commission has agreed that they do not want sign a contract with ADEX exclusively but will sign a new contract with CRDTS.

## **8. CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS)**

- 8.1. Call to CRDTS ED/Phil Elwood regarding contract – Ms. Anderson has not received a call back from Phil Elwood. She will make another call to him.

## **9. STAFF/COMMISSION MEMBER REPORTS**

## **10. CORRESPONDENCE**

- 10.1. Coalition of Independent Testing Agencies
- 10.2. Council of Interstate Testing Agencies
- 10.3. Letter dated October 4, 2005 to Lawrence B. Lum, DDS from Lisa Anderson regarding the request of exemption of license to conduct a live surgery course on dental implants on October 30, 2005.
- 10.4. Letter dated October 4, 2005 to Dr. Philip Miollis from Lisa Anderson regarding the use of a laser by a dental hygienist.
- 10.5. Letter dated October 4, 2005 to Dr. Lawrence R. Lawton, WSDA from Lisa Anderson regarding RCW 18.32.215 Licensure without Examination.
- 10.6. Letter dated October 4, 2005 from Dr. Lynn Hanks, WPHP thanking the Dental Commission for coordinating his presentation.
- 10.7. Memo dated October 6, 2005 from Mary C. Selecky, Secretary of the Department of Health to all Boards & Commissions.
- 10.8. Dental Organization for Conscious Sedation (DOCS) –Invitation to attend conference held on November 10-12, 2005 and January 19-21, 2006.

## **11. CONSENT AGENDA**

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the agenda and placed on the regular business agenda.

- 11.1. Newsletters / Articles – the listed items were provided to the commission members by email.
  - 11.1.1. National Practitioner Data Bank – Healthcare Integrity and Protection Data Bank – Data Bank News October 2005
  - 11.1.2 Risk Factors for relapse in Health Care Professionals with Substance Use Disorders
  - 11.1.3 Department of Health – The Sentinel September 2005
  - 11.1.4 Health Professions Quality Assurance Monthly Report – August 2005
  - 11.1.5 Brochure for 2005 Washington Health Legislative Conference Tuesday December 6, 2005. Bernie Nelson has attended this conference in the past and thinks that the Dental Commission should be represented there.
  - 11.1.6 Government Management Accountability and Performance (GMAP) article-State agencies match their work to residents priorities.

All the above newsletters and articles were provided to the Commission by email or directly at the meeting.

## **12. POLICIES/ INTERPRETIVE STATEMENTS, OPINIONS**

Any interpretive statement issued by the Commission is advisory and intended for the guidance of the requesting parties only. The interpretive statement is not legally binding and does not have the force and effect of a duly promulgated regulation or declaratory ruling by the Commission.

12.1 Discussion of Interim Policy to accept new ADA Accredited Dental Schools- There are three dental schools that were ADA accredited after 1993. The Commission approved a policy to list the three dental schools as DQAC approved. Lisa Anderson will provided a policy to the Commission for signature at the next meeting.

## **CLOSED SESSION**

## **13. EXECUTIVE SESSION**

The term “executive session” is commonly understood to mean that part of a regular or special meeting of the governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.30.220(1)(a-k), and only during a regular or special meeting.

The Commission may go into executive session to discuss issues that are appropriate to be handled in closed session such as personnel issues or to obtain legal advice.

13.1. Assistant Attorney General and Staff Attorney will provided legal advice to the Dental Quality Assurance Commission.

## **14. FUTURE COMMISSION BUSINESS**

The next DQAC meeting is scheduled to be held December 8, 2005 at the Hotel Monaco Seattle.

## **15. BUSINESS MEETING ADJOURNMENT**

The business meeting adjourned at 11:30 pm. The Commission will begin Disciplinary panel business at 9:00 a.m. on Friday, November 4, 2005.

Respectfully Submitted By:

Jennifer Bressi, Health Service Consultant 1

Commission Approval By:

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Russell Timms, DDS, Chair